



General Assembly

January Session, 2003

**Committee Bill No. 6259**

LCO No. 4633

Referred to Committee on Environment

Introduced by:  
(ENV)

***AN ACT CONCERNING THE RECYCLING OF ELECTRONIC DEVICES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective October 1, 2003*) (a) As used in this  
2       section, (1) "electronic device" means an item containing a cathode ray  
3       tube, (2) "eligible electronic device" means an electronic device for  
4       which the owner can show proof that the electronics recycling fee has  
5       been paid, (3) "sell" or "sold" means any transfer, for consideration, of  
6       title or of right to use, by lease or sales contract, (4) "retailer" means a  
7       person, including, but not limited to, a manufacturer, who sells an  
8       electronic device to a consumer, and (5) "commissioner" means the  
9       Commissioner of Environmental Protection.

10       (b) There is established within the Environmental Quality Fund  
11       established under section 22a-27g of the general statutes an account to  
12       be known as the "electronics recycling account". Notwithstanding the  
13       provisions of section 22a-27g of the general statutes, any moneys  
14       collected in accordance with subsection (c) of this section shall be  
15       deposited in the Environmental Quality Fund and credited to the  
16       electronics recycling account. Any balance remaining in the account at  
17       the end of any fiscal year shall be carried forward in the account for

18 the fiscal year next succeeding. The account shall be allocated on July  
19 first of each year by the commissioner in the following manner: (1) Not  
20 more than eighty-four per cent of the balance of the account for  
21 reimbursement to municipalities or a private entity with which a  
22 municipality contracted pursuant to subsection (d) of this section, to  
23 offset the costs incurred in administering the electronics recycling  
24 program, (2) not more than eight per cent of the balance may be used  
25 by the commissioner for the development and implementation of a  
26 grant program for municipalities to initiate or enhance municipal  
27 electronics recycling programs and to encourage regionalization of  
28 local electronics recycling programs, (3) not more than three per cent of  
29 the balance of the account may be used by the commissioner for the  
30 development and implementation of a grant program for research and  
31 development of electronics that contain a reduced amount of or no  
32 toxic heavy metals, and (4) not more than five per cent of the account  
33 may be used by the commissioner for the administration of the  
34 municipal assistance programs pursuant to subsection (e) of this  
35 section.

36 (c) (1) A electronic device sold by a retailer shall be subject to a fee  
37 of ten dollars, which fee shall be collected by such retailer. Each retailer  
38 of an electronic device shall register with the Commissioner of  
39 Revenue Services on forms prescribed by the Commissioner of  
40 Revenue Services. Each retailer of an electronic device shall submit a  
41 return quarterly to the Commissioner of Revenue Services, applicable  
42 with respect to the calendar quarter beginning January 1, 2004, and  
43 each calendar quarter thereafter, on or before the last day of the month  
44 immediately following the end of each such calendar quarter, on a  
45 form prescribed by the Commissioner of Revenue Services, together  
46 with payment of the fees collected during the previous quarter under  
47 this subsection, minus two per cent, which percentage may be retained  
48 by the retailer for administrative costs associated with collecting the  
49 fee.

50 (2) The Commissioner of Revenue Services shall cause copies of a

51 form prescribed for submitting returns as required under this section  
52 to be distributed throughout the state. Failure to receive such form  
53 shall not be construed to relieve anyone subject to the fee under this  
54 section from the obligations of submitting a return, together with  
55 payment of such fee within the time required.

56 (3) The provisions of sections 12-548 to 12-554, inclusive, of the  
57 general statutes and sections 12-555a and 12-555b of the general  
58 statutes shall apply to the provisions of this section in the same  
59 manner and with the same force and effect as if the language in said  
60 sections had been incorporated in full into this section and had  
61 expressly referred to the fee imposed under this section, except to the  
62 extent that any such provision is inconsistent with a provision of this  
63 section and except that the term "tax" or "tax imposed under the  
64 provisions of this chapter" shall read as "electronic device fee".

65 (d) A municipality that implements an electronics recycling  
66 program shall be eligible to receive reimbursement from the electronics  
67 recycling account, established in subsection (b) of this section, in an  
68 amount equal to ten dollars for each eligible device recycled by the  
69 municipality for the previous year. A municipality may contract with  
70 another municipality or a private entity to provide for the recycling of  
71 electronic devices. The commissioner shall reimburse a municipality  
72 after receiving a statement certified by the chief financial officer or the  
73 treasurer of the municipality or the private entity with which a  
74 municipality contracted, that includes the number of eligible devices  
75 recycled in the previous year. A municipality or a private entity that  
76 receives reimbursement from the electronics recycling account shall  
77 not charge a fee for the recycling of eligible devices.

78 (e) The commissioner shall assist municipal electronics recycling  
79 programs by (1) educating the public on the environmental benefits of  
80 recycling electronic devices, including, but not limited to, educating  
81 consumers at the point-of-sale, (2) assisting municipalities in  
82 developing electronics recycling programs, including, but not limited

83 to, assisting with the coordination of regional recovery efforts, (3)  
 84 assisting the Office of Policy and Management in establishing a state  
 85 recycling contract with private entities that may be used by  
 86 municipalities, (4) providing technical assistance to municipalities in  
 87 the development of procurement requirements for electronic devices  
 88 with a certain minimum recycled content and for preferential  
 89 treatment of vendors and manufacturers that utilize environmentally  
 90 responsible manufacturing processes or that utilize sustainable  
 91 product stewardship programs, and (5) submitting an annual report, in  
 92 accordance with the provisions of section 11-4a of the general statutes,  
 93 to the joint standing committee of the General Assembly having  
 94 cognizance of matters relating to the environment on or before January  
 95 fifteenth of each year describing the management of discarded  
 96 electronic devices for the preceding fiscal year ending June thirtieth,  
 97 which report shall include (A) an evaluation of the implementation of  
 98 this section, (B) the amount of fees collected and distributed, (C) the  
 99 beginning and ending balances of the electronics recycling account,  
 100 established in subsection (b) of this section, and a list of  
 101 reimbursements made from such account, and (D) any other  
 102 information the commissioner deems relevant.

This act shall take effect as follows:	
Section 1	October 1, 2003

**Statement of Purpose:**

To establish a municipal recycling program for certain electronic devices, which program would be funded by a fee on certain electronic devices.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: REP. WIDLITZ, 98th Dist.; REP. PANARONI, 102nd Dist.  
 REP. MUSHINSKY, 85th Dist.; REP. METZ, 101st Dist.  
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